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House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. NUGENT).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
June 27, 2012.

I hereby appoint the Honorable RICHARD B. NUGENT to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 17, 2012, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes each, but in no event shall debate continue beyond 11:50 a.m.

COMPANION CARE WORKERS BILL

The SPEAKER pro tempore. The Chair recognizes the gentleman from Michigan (Mr. WALBERG) for 5 minutes.

Mr. WALBERG. Rising health care costs remain a top concern for many Americans, particularly the Baby Boomers heading off into retirement and individuals with disabilities. However, one service in particular—home companion care—has come under attack from the Department of Labor and faces a sharp rise in costs. Currently, the Fair Labor Standards Act provides exemptions for home care workers. And for more than four dec-

ades now, the exemption has helped seniors and individuals with disabilities maintain access to affordable in-home care.

Companion care workers play a crucial role for those who desire to remain independent, performing a range of everyday tasks like helping to prepare meals, opening the mail, providing light housekeeping, and even offering someone to talk with, which is immensely helpful. However, the greatest service these individuals play is providing families with a sense that mom or dad or their loved ones are not alone when we need to be away.

But in December of 2011, the Department of Labor introduced a proposal championed by President Obama to remove the companionship exemption from the Fair Labor Standards Act, a move which would virtually eliminate the current exemption. On top of that, it will raise costs for businesses and families and lead to reduced hours for home companion care workers. Even the Department estimates the cost of companion care under the proposed rule may increase by up to \$2.3 billion over the first 10 years. It will be families and seniors and the disabled that will struggle to pay these costs out of their own pockets. These changes run in stark contrast to what Congress intended when it first established this important exemption nearly four decades ago. While I recognize the delivery of services has evolved over the years, the need to maintain access to affordable in-home care has not.

Seniors and the disabled in my home State of Michigan have been devastated by the fallout from this flawed policy. In 2006, Michigan made similar changes to the State law that the Department of Labor is currently considering. This was confirmed by a constituent in my home State who testified that his home companion care business, employees, and clients are worse off since the change went into ef-

fect. Seniors, those with disabilities, and their families are often unable to pay higher prices for the overtime requirement, forcing them to take on different caregivers throughout the day. This disruption to their schedule takes away the certainty of working with trusted caregivers. Many seniors and individuals with disabilities are then left with no choice but to leave their own homes because of the cost.

In response, I have introduced two bills to ensure seniors and individuals with disabilities keep their access to affordable companion care. Both bills will also prevent the Federal Government from interfering with decisions that should be made by families. The first bill, H.R. 5969, the Ensuring Access to Affordable and Quality Companion Care Act, will clarify that home caregivers employed by a third-party employer or living with the individuals receiving care continue to be exempt from the requirements of the Fair Labor Standards Act. The second, H.R. 5970, The Protecting in-Home Care From Government Intrusion Act, will stop the Secretary of Labor from finalizing or enforcing a proposed rule that severely narrows the Fair Labor Standards Act exemption for in-home caregivers.

If the Obama administration's proposal is not stopped, home care workers will lose hours and possibly their jobs. Seniors and those with disabilities will lose affordable care they want and need. This is simply a risk that we cannot afford to take.

TRANSPORTATION BILL

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) for 5 minutes.

Mr. BLUMENAUER. There's a transportation agreement rumored to be in the works that would be shortsighted in the extreme if these rumors prove to

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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